COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF BLUEGRASS WATER UTILITY OPERATING COMPANY, LLC FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR PROJECTS AT THE WOODLAND ACRES SITE	)))))	CASE NO. 2022-00015

O R D E R

On January 26, 2022, Bluegrass Water Utility Operating Company, LLC (Bluegrass Water) filed an application pursuant to KRS 270.020 and 807 KAR 5:001, Section 15, seeking a Certificate of Public Convenience and Necessity (CPCN) to install a moving bed biofilm reactor (MBBR) treatment system, a peracetic acid disinfection system, and wet weather overflow prevention measures at its wastewater treatment plant at the Woodland Acres subdivision in Bullitt County, Kentucky. No party requested intervention in this proceeding. Bluegrass Water responded to three sets of requests for information from Commission Staff. On April 22, 2022, Bluegrass Water filed a notice of request for the matter to be submitted on the written record. The Commission has received information sufficient to issue a ruling in this case.

BACKGROUND

Bluegrass Water is a Class B sewer utility organized and existing under the laws of the Commonwealth of Kentucky.[1] Bluegrass Water acquired the wastewater treatment plant and collection system at the Woodland Acres subdivision (Woodland Acres System)

[1] Application, Exhibit C.

after the transfer was approved by the Commission in Case No. 2020-00297.[2] The Woodland Acres System provides wastewater collection and treatment service to a little over 100 residential customers in the Woodland Acres subdivision in Bullitt County, Kentucky.[3]

Bluegrass Water reported that the Woodland Acres wastewater treatment plant (WWTP) was cited for ten permit limit effluent exceedances from April 2021 to March 2022,[4] including two total suspended solids (TSS) exceedances, six ammonia exceedances, and two biochemical oxygen demand (BOD) exceedances. The plant was also found to have two chlorine and four *E. coli* exceedances in the last three years.[5]

Bluegrass Water's third-party engineering firm inspected the Woodland Acres System before it purchased the system and prepared a report that, among other things, noted exceedances in ammonia, BOD, and *E.coli* and identified deficiencies at the plant causing it to exceed permit limits.[6] Bluegrass Water entered into an Agreed Order with the Kentucky Energy and Environment Cabinet's Division of Water (DOW) that required it to file a Corrective Action Plan (CAP) describing how it would correct any deficiencies

[2] Application at Case No. 2020-00297, *Electronic Proposed Acquisition by Bluegrass Water Utility Operating Company, LLC and the Transfer of Ownership and Control of Assets by: Delaplain Disposal Company; Herrington Haven Wastewater Company, Inc.; Springcrest Sewer Company, Inc; And Woodland Acres Utilities, LLC* (Ky. PSC Jan. 14, 2021), Order at 16.

[3] Bluegrass Water's Response to Commission Staff's First Request for Information (Response to Staff's First Request), Item 2, KY2022-00015_BW_0353 to KY2022-00015_BW_0359.

[4] Response to Staff's First Request, Item 4, KY2022-00015_BW_0361 to KY2022-00015_BW_0363.

[5] Response to Staff's First Request, Item 15.

[6] Response to Staff's First Request, Item 2, KY2022-00015_BW_0353 to KY2022-00015_BW_0355.

at the plant and cure the exceedances.[7] The proposed projects for which Bluegrass Water requests a CPCN are consistent with the first phase of the CAP Bluegrass Water submitted to the DOW on October 21, 2021,[8] and are intended to cure the exceedances in the short term.

Moving Bed Biofilm Reactor

The Woodland Acres WWTP currently regulates TSS, ammonia, and BOD levels by means of a conventional aeration system that uses blowers to aerate and move the wastewater and TSS to expose them to necessary microorganisms for organic breakdown.[9] This system has been unable to handle the current volume of wastewater and TSS, resulting in the documented exceedances for TSS, ammonia, and BOD. Bluegrass Water has proposed constructing a moving bed biofilm reactor (MBBR) treatment system to increase surface area for the formation of biofilm, increasing the exposure and mechanical breakdown of TSS, and reducing levels of ammonia and BOD.[10] Bluegrass Water has provided engineering data that supports its claim that this system will be sufficient to meet permitted limits for TSS, ammonia, and BOD.[11]

[7] Response to Staff's First Request, Item 31, KY2022-00015_BW_0373 to KY2022-00015_BW_0388.

[8] *See* Response to Staff's First Request, Item 31, KY2022-00015_BW_0390 to KY2022-00015_BW_0391 (indicating that the first phase of the CAP includes the installation of an MBBR treatment system, a peracetic acid disinfection system, and equalization tanks to initially address excess wet weather flows).

[9] Response to Staff's First Request, Item 4.

[10] Response to Staff's First Request, Item 8.

[11] Response to Staff's First Request, Item 7, KY2022-00015_BW_0364 to KY2022-00015_BW_0367.

The estimated cost of construction of the MBBR project is $204,300.[12] Bluegrass Water addressed alternative methods of reducing TSS, ammonia, and BOD levels. One option was to add more conventional aeration tankage. However, this option would be more expensive[13] and less efficient than attached growth biological treatment and would require more blowers and other aeration equipment, resulting in more up-front costs and power consumption at the facility.[14] Another alternative would be an integrated fixed-film activated sludge (IFAS) attached growth system but that option is more costly than MBBR,[15] is more operationally complex, which makes it prone to treatment failure, and would require additional tankage repairs and cost.[16]

Peracetic Acid Disinfection

The Woodland Acres WWTP currently disinfects wastewater using sodium hypochlorite for disinfection and sodium bisulfite for dichlorination.[17] The sodium hypochlorite kills bacteria, including *E. coli*, but leaves unwanted chlorine in the wastewater. This method and the deteriorated condition of the equipment have been unable to keep *E. coli* and chlorine levels within permitted limits. Bluegrass Water has proposed implementing a peracetic acid disinfection system to remedy these issues. A

[12] Application at 4.

[13] Bluegrass Water Response to Commission Staff's Third Request for Information (Response to Staff's Third Request), Item 1 (Additional conventional aeration estimated cost is $400,000-$600,000).

[14] Response to Staff's First Request, Item 8.

[15] Response to Staff's Third Request, Item 1 (The estimated cost of the IFAS system is $286,020-$326,880).

[16] Response to Staff's First Request, Item 8.

[17] Response to Staff's First Request, Item 13.

peracetic acid disinfection system does not use chlorine, so chlorine would be eliminated, reducing ongoing chemical cost and environmental impact.[18]

The estimated cost of construction of the peracetic acid disinfection project is $22,250.[19] Bluegrass Water addressed alternative methods of reducing chlorine and *E. coli* levels. One option was replacing the existing disinfection system with a similar but newer and better functioning chlorine disinfection system. This alternative would result in $3,000 more expense in construction cost, and operation cost would be higher due to sodium hypochlorite cost.[20] Another alternative is an ultraviolet disinfection system, which also does not use chlorine. However, Bluegrass Water's third-party engineering firm determined that an ultraviolet disinfection system would be prohibitively expensive from a capital cost perspective without offering benefits over the proposed system and that it would have higher operation and maintenance expenses due to increased electricity usage and bulb replacements.[21]

Wet Weather Overflow Prevention

Bluegrass Water has also proposed construction of a wet weather overflow prevention system to prevent rainfall from overflowing the facility and washing sewage into common areas. These conditions compromise the treatment process by leaving the plant with inadequate biological activity to sustain proper treatment process.[22] This can also cause TSS to wash out causing contamination of common areas and TSS

[18] Response to Staff's First Request, Items 10 and 17.

[19] Application at 5.

[20] Response to Staff's Third Request, Item 5.

[21] Response to Staff's Third Request, Item 5.

[22] Response to Staff's First Request, Item 19.

exceedances.[23] The proposed system involves construction of a polyethylene holding tank that will release rainwater into the system over time to prevent overflow.[24]

The estimated cost of the wet weather overflow prevention system is $70,700.[25] Alternative methods of preventing overflow include use of a steel or concrete tank at greater expense.[26] Bluegrass Water decided not to incur the expense for an engineering report for this alternative because according to Bluegrass Water's engineering firm, these materials would cost several times more than the polyethylene tank without providing proportional increase in useful life.[27]

City of Shepherdsville Sewer System

Bluegrass Water approached the city of Shepherdsville about connecting the Woodland Acres System to Shepherdsville's sewer system as an alternative to the proposed projects. Shepherdsville concluded that to connect to its system, Bluegrass Water would need to construct four lift stations and that several existing sewer mains would need to be replaced with larger mains.[28] The estimated cost of these upgrades was between $3 million and $6 million,[29] and the estimated annual operation and

[23] Response to Staff's First Request, Item 19.

[24] Response to Staff's First Request, Item 19.

[25] Application at 5.

[26] Response to Staff's Third Request, Item 3 (The estimated cost of a steel or concrete tank is $212,100-$424,200).

[27] *See* Response to Staff's Third Request, Item 3 (indicating that a steel or concrete tank would be 3 to 6 times the cost with a useful life of 20 to 30 years); *see also* Response to Staff's First Request, Item 26, KY2022-00015_BW_0369 (indicating that the estimated useful life of the polyethylene tank and pad is about 30 years).

[28] *See* Response to Staff's Second Request, Item 8; *see also* Response to Staff's Third Request, Item 1; Response to Staff's First Request, Item 27.

[29] *See* Response to Staff's Second Request, Item 8; *see also* Response to Staff's Third Request, Item 1.

maintenance expense was greater than the expense[30] of operating Bluegrass Water's own facility due to the treatment costs that would have to be paid to the city of Shepherdsville. Thus, although it acknowledged that the costs of connecting to Shepherdsville may eventually decline,[31] Bluegrass Water argued that connecting to the city sewer system at present would be significantly more expensive than the proposed projects.

Replacement of Entire Plant

Bluegrass Water indicated that another alternative to the proposed projects would be the replacement of the entire WWTP. Bluegrass Water estimated that it would cost between $800,000 and $1,200,000 for a total plant replacement. Bluegrass Water acknowledged this would offer a long-term solution for the current compliance issues, but at a cost of between three and four times the cost of the proposed combined projects.[32]

Other Required Projects

Bluegrass Water's CAP proposes a second phase of construction that includes a new contact tank, a clarifier system, and relocation of chemical feed facilities, and likely includes a new influent pump station and equalization facility.[33] Bluegrass Water estimated that the new contact tank would cost $600,000 to $800,000, but it did not estimate the cost of the other projects proposed as part of the second phase of the CAP,

[30] Responses to Staff's Third Request, Item 1 ("[C]ost of purchased treatment from the city of $5,900 to $8,900 per month and the cost to operate 4 new lift stations of approximately $4,200 per month.").

[31] Responses to Staff's Third Request, Item 5.

[32] Response to Staff's First Request, Item 27.

[33] Response to Staff's First Request, Item 31, KY2022-00015_BW_0390 to KY2022-00015_BW_0391.

because it indicated those are only possible future projects.[34] Bluegrass Water stated that "no additional large capital projects are planned in the next 5 years," and specifically indicated that it intended to delay the replacement of the contact tank for five to ten years if possible.[35] Bluegrass Water also noted that "[a]ll of the equipment contemplated in this project will be included in the permanent treatment processes for this facility and remain in use and useful as long as the plant remains in operation."[36]

LEGAL STANDARD

No utility may construct or acquire any facility to be used in providing utility service to the public until it has obtained a CPCN from this Commission.[37] To obtain a CPCN, the utility must demonstrate a need for such facilities and an absence of wasteful duplication.[38]

"Need" requires:

> [A] showing of a substantial inadequacy of existing service, involving a consumer market sufficiently large to make it economically feasible for the new system or facility to be constructed or operated.
>
> [T]he inadequacy must be due either to a substantial deficiency of service facilities, beyond what could be supplied by normal improvements in the ordinary course of business;

[34] Response to Staff's Third Request, Item 5; *see also* Response to Staff's Third Request, Item 4 ("No capital estimate has been prepared for the phase two projects as there is no anticipated timeline for implementing these improvements. Specifically, given the possibility that a City connection may become more economical in the future, these projects may prove to be unnecessary and never actually constructed. Should a time arrive where these projects become necessary, Bluegrass will first work with its third-party engineers to prepare more detailed plans and capital estimates and then approach both the Division of Water for necessary permit approvals and the Commission for a CPCN approval.").

[35] Response to Staff's Second Request, Items 7(c), (d).

[36] Response to Staff's Second Request, Item 7(e).

[37] KRS 278.020(1). Although the statute exempts certain types of projects from the requirement to obtain a CPCN, the exemptions are not applicable.

[38] *Kentucky Utilities Co. v. Pub. Serv. Comm 'n*, 252 S.W.2d 885 (Ky. 1952).

> or to indifference, poor management or disregard of the rights of consumers, persisting over such a period of time as to establish an inability or unwillingness to render adequate service.[39]

"Wasteful duplication" is defined as "an excess of capacity over need" and "an excessive investment in relation to productivity or efficiency, and an unnecessary multiplicity of physical properties."[40] To demonstrate that a proposed facility does not result in wasteful duplication, the Commission has held that the applicant must demonstrate that a thorough review of all reasonable alternatives has been performed.[41] Although cost is a factor, selection of a proposal that ultimately costs more than an alternative does not necessarily result in wasteful duplication.[42] All relevant factors must be balanced.[43]

DISCUSSION AND FINDINGS

Having considered the application and all evidence in the record, the Commission finds that the CPCN is granted. The undisputed evidence indicates that the Woodland Acres System has exceeded permit limits for a number of months or years with respect to TSS, ammonia, BOD, chlorine, and *E. coli* and that action is needed to ensure compliance with applicable laws. In fact, as noted above, Bluegrass Water entered into

[39] *Kentucky Utilities Co.*, 252 S.W.2d at 890.

[40] *Kentucky Utilities Co.*, 252 S.W.2d at 890.

[41] Case No. 2005-00142, *Joint Application of Louisville Gas and Electric Company and Kentucky Utilities Company for a Certificate of Public Convenience and Necessity for the Construction of Transmission Facilities in Jefferson, Bullitt, Meade, and Hardin Counties, Kentucky* (Ky. PSC Sept. 8, 2005), Order at 11.

[42] *See Kentucky Utilities Co. v. Pub. Serv. Comm'n*, 390 S.W.2d 168, 175 (Ky. 1965). *See also* Case No. 2005-00089, *Application of East Kentucky Power Cooperative, Inc. for a Certificate of Public Convenience and Necessity for the Construction of a 138 kV Electric Transmission Line in Rowan County, Kentucky* (Ky. PSC Aug. 19, 2005), final Order.

[43] Case No. 2005-00089, *East Kentucky Power Cooperative, Inc.* (Ky. PSC Aug. 19, 2005), final Order at 6.

an Agreed Order with the Division of Water that, among other things, required it to file a CAP describing how it would cure the deficiencies causing the system to exceed permit limits. The proposed projects, which are consistent with the first phase of Bluegrass Water's CAP, are necessary to meet permitted limits for TSS, ammonia, BOD, chlorine, and *E. coli*. Thus, the Commission finds that there is a need for the proposed projects.

There are alternative projects that would address the need to be satisfied by the proposed projects, but the evidence indicates that those projects would be more costly or present greater risks. An alternative to the proposed projects and the second phase of CAP projects, collectively, would be connecting to the city of Shepherdsville's system, which would eliminate Woodland Acres WWTP. However, using the useful lives provided by Bluegrass Water in this matter and the weighted average cost of capital (WACC) established in Case No. 2020-00290,[44] the first year revenue requirement impact of connecting to the city's system is significantly greater than the first year revenue requirement impact of the proposed projects even with the tank replacement proposed as part of the second phase of CAP projects.[45] Further, while the difference in the annual

[44] *See* Case No. 2020-00290, *Electronic Application of Bluegrass Water Utility Operating Company, LLC for an Adjustment of Rates and Approval of Construction* (Ky. PSC Aug. 2, 2021), Order at 110 (establishing a WACC of 7.95%).

[45] The first year revenue requirement impact of the projects are reflected in the chart below (using the depreciation rates from the O&M guide used to establish rates in Case No. 2020-00290 has little effect on this revenue impact):

revenue requirement impact will be reduced slightly over the life of the proposed projects, as the projects necessary to connect to the city's system depreciate, the revenue impact of connecting to the city at current projected costs will never be lower than the revenue impact of the proposed projects even with the tank replacement, because the projected annual expense increase associated with connecting to the city alone is higher than the total annual revenue requirement impact of the proposed projects even with the tank replacement.

Bluegrass Water did not provide an estimate of all of the projects proposed as part of the second phase of the CAP, so it was not possible to compare all of the expected projects at the Woodland Acres System against the cost of connecting to the city's

	Tap-On to City	Proposed Projects	Projects + Tank Replacement
Construction Costs	$ 3,645,000	$ 297,250	$ 1,097,250
Multiply by: WACC	7.95%	7.95%	7.95%
Rate Base Effect	289,778	23,631	87,231
Depreciation	88,167	13,843	33,843
Operating Costs	88,962	-	-
Annual Expense Impact	177,129	13,843	33,843
Total Revenue Requirement Impact	$ 466,906	$ 37,474	$ 121,074

The first year revenue requirement impact does not include the effects on electric costs but those are unlikely to make a material difference given the costs involved and the fact there would be electric costs for lift stations necessary to connect to the city even if the plant were eliminated, though if the costs were closer the projected electric costs could be material. The operating expenses for connecting to the city do not include Bluegrass Water's projected maintenance expense for the line to connect to the city, because it was based solely on the depreciation expense and was therefore unreasonably high, especially given the fact the Bluegrass Water projected no change in the monthly operator expense. The city's charge for treating Woodland Acres sewage was based on an average of the high and low volume at the Woodland Acres System and the city's current rate provided by Bluegrass Water.

system.[46] However, Bluegrass Water reported that no additional large capital projects are planned in the next five years. Further, given the expected cost to connect to the city, the total revenue requirement impact of the proposed projects over the next five years would be lower than the first-year carrying costs and operation and maintenance expense of connecting to the city even if the proposed projects were depreciated over five years.[47] Bluegrass Water also anticipates that connecting to the city may be cheaper in five to ten years.[48] In the meantime, the proposed projects will remedy exceedances at a lower cost than connecting to the city's system.

Another alternative to the proposed projects would be to simply replace the Woodland Acres WWTP. However, replacing the entire facility would cost significantly more than the proposed projects,[49] and would likely be roughly equal to the cost of the proposed projects and the projects proposed as part of the second phase of the CAP, because the CAP essentially proposed the phased replacement of the Woodland Acres

[46] *See* Case No. 2020-00290, *Bluegrass Water Utility Operating Company, LLC* (Ky. PSC Aug. 2, 2021), Order at 21-23 (discussing when the proposed construction on a system should be reviewed collectively to determine whether a CPCN is necessary or should be granted).

[47] The first year carrying cost of the project to connect to the city would be $289,778 and the first year operating and maintenance expense for treatment by the city would be about $88,962 as indicated above. The total revenue requirement impact of the proposed projects if they are depreciated over five years would be $368,144 as shown below:

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
Construction Costs	$ 297,250	$ 237,800	$ 178,350	$ 118,900	$ 59,450	$ -
Multiply by: WACC	7.95%	7.95%	7.95%	7.95%	7.95%	7.95%
Rate Base Effect	23,631	18,905	14,179	9,453	4,726	-
Depreciation	59,450	59,450	59,450	59,450	59,450	-
Total Revenue Requirement Impact	$ 83,081	$ 78,355	$ 73,629	$ 68,903	$ 64,176	$ -

Total Revenue Requirement Impact $ 368,144

[48] *See* Response to Staff's Third Request, Items 4 and 5 (discussing the possibility that it may become more economical to connect to the city in the future).

[49] *See* Response to Staff's First Request, Item 27 (indicating an estimated cost of $800,000 to $1.2 million).

WWTP.[50] Replacing the entire facility would also waste components that are still functioning.[51] Finally, as above, Bluegrass Water anticipates that the cost of connecting to the city of Shepherdsville's system will get cheaper and that the EEC could require the Woodland Acres System be connected to the city's sewer system, so delaying large expenditures that are not currently necessary is appropriate.[52]

When considering the projects individually, the MBBR system is also the least cost reasonable alternative for correcting TSS, ammonia, and BOD exceedances. Its estimated cost is less than an IFAS system or additional conventional aeration with a comparable useful life.[53] Likewise, the peracetic acid disinfection system is the least cost reasonable option for complying with chlorine and *E. coli* limits. Its estimated cost is less than ultraviolet disinfection or a new sodium hypochlorite disinfection system when the cost of chemicals is taken into account.[54] The wet weather overflow prevention system is the only option to rectify the overflow problem. Bluegrass Water did acknowledge that

[50] Response to Staff's First Request, Item 31, KY2022-00015_BW_391 (noting that the plant will need to be replaced in the coming years and that the CAP is structured in phases to make progress towards that goal in the short term).

[51] *See* Response to Staff's Second Request, Items 7(c), (d) (indicating Bluegrass Water's belief that the current contact tank has five to ten years of remaining useful life).

[52] *See* Response to Staff's Third Request, Items 4 and 5 (discussing the possibility that it may become more economical to connect to the city in the future and that the EEC may require a connection); *see also* 401 KAR 5:005, Section 4(7)(a); 401 KAR 5:002, Section 1(14) (indicating that sewage systems may be required to be connected to a regional facility if the nearest connection point is one mile or less from the sewage system under certain circumstances).

[53] *See* Response to Staff's Third Request, Item 1 (indicating IFAS an estimated capital cost of $286,020-$326,880 for the IFAS system and $400,000 to $600,000 for the aeration tankage with a similar estimated useful life of 20 years); *see also* Response to Staff's First Request, Item 26 (indicating that the that the only increase in O&M expense associated with the new projects would be an increase in electric usage).

[54] Response to Staff's Third Request, Item 2; *see also* Response to Staff's First Request, Item 26 (indicating that the that the only increase in O&M expense associated with the new projects would be an increase in electric usage).

a steel or concrete tank could have been used for the overflow system instead of the proposed polymer tank, but the estimated cost of such tanks is three to six times higher than the estimated cost of the proposed polymer tank.[55]

Bluegrass Water plans to use competitive bidding to reduce construction costs. The bid process will be invitation only and bids will be solicited from at least three contractors, identified as having experience in wastewater construction.[56]

For the reasons discussed above, the Commission finds that the construction activities described in Bluegrass Water's CPCN application reflect need and a lack of wasteful duplication due to adoption of reasonable and cost-effective alternatives. Therefore, the Commission finds that Bluegrass Water's request for a CPCN shall be granted. However, in order to protect customers from unforeseen costs, any material deviation from the construction approved by this Order shall be undertaken only with the prior approval of the Commission.

Finally, Bluegrass Water indicated in its application that it would fund the proposed projects with equity capital,[57] but it stated in response to requests for information that it expected to request approval for debt financing in 2022 and that it may then utilize debt to finance all or part of the proposed projects.[58] In Case No. 2019-00104, in which Bluegrass Water was first authorized to acquire systems in Kentucky, Bluegrass Water supported its request by indicating its intent to maintain a capital structure with at least

[55] Response to Staff's Third Request, Item 3.

[56] Response to Staff's Second Request, Item 10.

[57] Application at 6.

[58] Response to Staff's Second Request, Items 11 and 12. Bluegrass Water has since filed an application for financing approval. *See* Case No. 2022-00217, *Electronic Application of Bluegrass Water Utility Operating Company, LLC for Issuance of Evidence of Indebtedness* (filed Aug. 19, 2022), Application.

50 percent debt financing,[59] and it later stated that it would meet that commitment, on which its acquisitions have been conditioned,[60] by financing overall plant additions with a mix of debt and equity to achieve a capital structure with at least 50 percent debt.[61] While this Order should not be construed as approving or disapproving the use of any particular financing mix for the proposed projects, it also should not be interpreted as eliminating any conditions established in Case No. 2019-00104 and other cases.

IT IS THEREFORE ORDERED that:

1. Bluegrass Water's request for a CPCN for the proposed projects described in its application is granted.

2. Bluegrass Water shall immediately notify the Commission upon knowledge of any material changes to the project, including, but not limited to, a material increase in costs and any significant delays in construction.

3. Any material deviation from the construction approved by this Order shall be undertaken only with the prior approval of the Commission.

4. Bluegrass Water shall file with the Commission documentation of the total costs of the projects, including the cost of construction and all other capitalized costs,

[59] Case No. 2019-00104, *Electronic Proposed Acquisition by Bluegrass Water Utility Operating Company, LLC and the Transfer of Ownership and Control of Assets by P.R. Wastewater Management, Inc., Marshall County Environmental Services, LLC, LH Treatment Company, LLC, Kingswood Development, Inc., Airview Utilities, LLC, Brocklyn Utilities, LLC, Fox Run Utilities, LLC, Brocklyn Utilities, LLC, and Lake Columbia Utilities, Inc.* (Ky. PSC. Aug. 14, 2019), Order at 18.

[60] *See* Case No. 2020-00297 *Electronic Proposed Acquisition by Bluegrass Water Utility Operating Company, LLC and the Transfer of Ownership and Control of Assets by: Delaplain Disposal Company; Herrington Haven Wastewater Company, Inc.; Springcrest Sewer Company, Inc; and Woodland Acres Utilities, LLC* (Ky. PSC Jan. 14, 2021), Order at 10; Case No. 2019-00360, *Electronic Proposed Acquisition by Bluegrass Water Utility Operating Company, LLC and the Transfer of Ownership and Control of Assets by Center Ridge Water District, Inc.; Joann Estates Utilities, Inc.; and River Bluffs, Inc.* (Ky. PSC Feb. 17, 2020), Order at 12; Case No. 2019-00104, *Bluegrass Water Utility* (Ky. PSC Aug. 14, 2019), Order at 18.

[61] Case No. 2019-00104, *Bluegrass Water Utility* (filed Oct. 31, 2019), Notice and Plan Re: Capital Structure.

(e.g. engineering, legal, administrative, etc.) within 60 days of the date that construction authorized under this CPCN is substantially completed. Construction costs shall be classified into appropriate plant accounts in accordance with the Uniform System of Accounts for sewer utilities as prescribed by the Commission.

5. Bluegrass Water shall file a copy of the "as-built" drawings, if any, and a certified statement that the construction has been satisfactorily completed in accordance with the plans and specifications within 60 days of the substantial completion of the construction certificated herein.

6. Any documents filed in the future pursuant to ordering paragraph 2 through 5 shall reference this case number and shall be retained in the post-case correspondence file for this proceeding.

7. The Executive Director is delegated authority to grant reasonable extensions of time for filing any documents required by this Order upon Bluegrass Water's showing of good cause for such extension.

8. This case is closed and is removed from the Commission's docket.

PUBLIC SERVICE COMMISSION

Chairman

Vice Chairman

Commissioner

ENTERED
SEP 01 2022 bsb
KENTUCKY PUBLIC SERVICE COMMISSION

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